

ACTS TO CLOSE WET CAFE FOR ONE YEAR

T. S. Prosecutor Moves Against Ritz, in Brooklyn, and Its Landlords.

HELD TO BE NUISANCE
First Action of Kind Here Is Under Injunction Clause of Volstead Law.

The first action of the kind in this city was started yesterday in Brooklyn under the injunction clause of the Volstead act to close down for one year for selling liquor the Ritz Restaurant, Nevins street and Flatbush avenue.

Leroy W. Ross, Federal District Attorney for the Eastern District, brought the action in the equity part of the United States District Court against the Ritz Restaurant Company, proprietors of the Ritz Restaurant, and the Livingston Realty Company, landlords of the premises, where three violations are alleged to have occurred.

The defendants are given twenty days to answer, after which the case will go to trial, and if there is a verdict in favor of the Government the Ritz, characterized by Mr. Ross as "pretty raw" in its violations, will be sealed for one year, making the property valueless for that period.

Harold B. Dobbs of Brooklyn, who is filling the place of Dan J. Chapin, chief prohibition enforcement agent for this district, in his action in Washington, said the latter is expected to return Saturday morning. Mr. Chapin has requested Washington authorities to transfer him back to the Income Tax Bureau in Chicago.

Remaining members of the Boston raiding force, which caused a dry stir along Broadway last Saturday night by numerous raids and arrests, remained stationary yesterday in the Alcazar Hotel, in West Thirty-second street. They have more than seventy-five search warrants to serve on places where evidence has been collected in Manhattan.

The whereabouts of William J. McCarthy, Boston prohibition chief, who is wanted in this city to testify before the Federal Grand Jury to substantiate his charges he had been offered more than \$100,000 in bribes, still remain a mystery. Two subversive servers have been hunting McCarthy since Tuesday, when he is supposed to have gone to New Jersey to take part in Newark raids.

STATE C. OF C. OPPOSES GERMAN PROPAGANDA

Also Votes Reception in Honor of Charles M. Schwab.

The Chamber of Commerce of the State of New York adopted yesterday a resolution putting the organization on record as "opposed to all propaganda now being spread broadcast in this country by the Central Powers or their agents and sympathizers tending to spread distrust against our allies and separate us from them in thought and in action."

The resolution was offered by Major Alfred Wendt, a member of the Chamber's committee on defense. Capt. John B. Trevor, a former member of the Military Intelligence Division, declared the resolution should be promptly acted upon. It was unanimously adopted.

The Chamber voted to tender to Charles M. Schwab a reception "in recognition of the self-sacrificing and patriotic services which he rendered to his country during the world war."

Other measures considered by the Chamber at yesterday's meeting and adopted were resolutions urging the re-establishment of foreign mail boat service at pre-war standards, the immediate adoption of the New York-New Jersey port treaty, adequate appropriations for the National School of the State, legislation against gratuities in connection with shipping and the full maintenance of the hydrographic service.

'HORROR ON THE RHINE' CHAIRMAN CHALLENGES

Von Mach Would Debate With Galbraith of Legion.

The action of Mayor Hylan in permitting the holding of the "horror on the Rhine" meeting in Madison Square Garden Monday night was "unqualifiedly condemned" by the Kings county executive committee on defense. Capt. John B. Trevor, a former member of the Military Intelligence Division, declared the resolution should be promptly acted upon. It was unanimously adopted.

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A committee composed of J. A. Swift, A. J. Kane and H. P. Gamble has been authorized by the David W. Gentile Post of the Legion to draw up resolutions protesting against the holding of meetings similar to the Garden gathering.

'RHINE' MEETING BARRED.

Philadelphia Shriners Face Suit for Refusal of House.

PHILADELPHIA, March 3.—Despite threatened legal action by the promoters of the proposed mass meeting next Sunday to protest against alleged misconduct by French negro colonial troops in occupied Germany, Mayor Moore to-day decided there would be no meeting in the Metropolitan Opera House or anywhere else.

Lulu Temple, order of the Mystic Shrine, cancelled the lease obtained on the Metropolitan Opera House for next Sunday by Joseph McGarrity, publisher of the Irish Free Press. McGarrity reiterated to-day that he will bring legal action against the Shriners, as he has a signed contract for his use.

TO PRICE MARK R. T. TICKETS.

Ira A. Place, vice-president of the New York Central Railroad, announced yesterday by letter to the New York Board of Trade and Transportation that new tickets issued by the railroad will have the amount of the fare printed on them. Present tickets will not be recalled. This policy is in line with that adopted by the Pennsylvania Railroad on January 2 last. It will apply to the New York Central and leased lines.

Booze Convictions No Bar to Citizenship

ALTHOUGH he had pleaded guilty twice within the year to violation of the Volstead act, David O'Dowd, a native of Ireland, and living at 332 Pearl street, Brooklyn, was admitted to citizenship yesterday by Federal Judge Garvin in Brooklyn. O'Dowd's pleas of guilt brought him fines of \$100 and \$150. Judge Garvin explained that the offenses committed did not constitute a felony, and were therefore not a bar to the granting of citizenship papers.

STATE TO LET OWNERS MOVE THEIR OWN BOOZE

Automobile Bill Hearings to Be Held March 16.

Special Despatch to THE NEW YORK HERALD, New York, March 3.

Under an amendment to the State prohibition enforcement bills made to-day by Senator Mullan a man need not apply to the prohibition officials when he wants to move his legally acquired liquor from his city to his summer home. The amendment provides that such liquor can be transferred from one house to another without a permit. Senator Mullan said that the three dry bills will be pushed to passage in both houses next week.

The Statewide automobile operators' license bill, prepared by the New York State Automobile Association, was reported favorably to the Senate to-day. It provides a uniform initial license fee for all operators of automobiles and no renewal fee is required. Operators' licenses are now issued only in New York city.

Senator Lowman, chairman of the Internal Affairs Committee, has announced a hearing for Wednesday, March 16, on the bill to increase motor vehicle fees and other automobile legislation. Automobileists generally are lining up against the fee bill. The State Automobile Association will oppose it before the committee.

NICHOLS DIES IN CHAIR FOR WOLCHAK MURDER

Guy Nichols of Trimble, Ohio, 24 years old and a veteran of the world war, was put to death in the electric chair at Sing Sing Prison last night for his part in the murder of Samuel Wolchak, who was shot to death in his stationery store in Brooklyn, in March, 1919.

Unusual efforts were made by Nichols' attorneys and friends to obtain a reprieve or commutation of sentence for him, but Gov. Nathan L. Miller refused to interfere. The principal ground on which his lawyers based their request was the fact that Jesse Walker, who was put to death for the same crime two weeks ago, made a statement just before his death exonerating Nichols.

"It would establish a very dangerous precedent," said the Governor, "to exercise Executive clemency, either because of previous reputation or because the defendant may have been led into criminal ways by evil associations. There is an alarming increase in crimes like the one involved in this case, and it must be understood that the Executive of the State will not interfere with the execution of the law and will not attempt to impose a lesser punishment than that prescribed by law."

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DRY CITY JUDGE FOR NEW RUM DICTATOR

H. L. Hart of Binghamton Indorsed by Glynn for State Director of Prohibition.

O'CONNOR WILL QUIT SOON
Law Enforcement and End of Collusion Will Be Aim of Miller's Ally If Appointed.

Harold L. Hart, City Judge of Binghamton and Republican leader of Broome county, will be the next Federal Director of Prohibition for New York State, unless plans are changed for the appointment of a successor to Charles R. O'Connor.

Some time ago the Republican State organization was told it could name the man to fill this position and it would be held responsible for his administration of the Volstead act in New York State. It was learned yesterday that Judge Hart had been agreed upon by the State leaders, and it is understood he will accept. The salary is \$5,000.

"Knowing we would be held responsible for the appointment of the Prohibition Director," said George A. Glynn, State chairman, last night, "we have taken great care to choose a man who will all the bill satisfactorily. Judge Hart is a man of great ability, of standing in the community and has been reared in the proper environment. We assume that the law will be properly enforced and that no collusion will be permitted."

Chairman Glynn explained that in speaking of environment he had reference to the fact that Broome, Otsego, Chenango and other counties in the Congress district were noted for their prohibition sentiment and observance of "law and order." Binghamton, a city of almost 75,000 population, was dry before the Eighteenth Amendment was passed, having voted so under local option law.

Judge Hart is a strong Miller man and his county made an exceptionally good showing for the Governor on election day.

Judge Hart is described as possessing diplomatic ability to deal with trying situations as well as the force to bring things to pass. He is about 36 years old.

As Mr. O'Connor, the Democratic director, has announced his intention of getting out soon, it is probable that Judge Hart will be appointed within a short time after the Harding Administration takes hold in Washington.

The selection of Judge Hart will displace a score or more of New York city applicants for the place. Among them were John T. McNeil of Manhattan and Fred Aherm of Brooklyn.

Representative Ernest R. Ackerman of Plainfield, president of the Lawrence Portland Cement Company, was indicted individually yesterday by the Federal Grand Jury on charges of violating the Sherman Anti-Trust law. The indictment, the result of the building materials combine investigation in this city, contained two counts charging monopoly and restraint of trade. Representative Ackerman is in Washington.

The settings and gowns are so beautiful that we wonder why patrons are so insistent on the modern realistic drama. The best and most thrilling scenes of the pictures are those which concern themselves with the adventures of the pirate and his beautiful daughter. Miss Davies plays with unwonted vivacity and spirit."

—Agnes Smith in "The Morning Telegraph."

A COSMOPOLITAN PRODUCTION

Directed by GEORGE D. BAKER

A PARAMOUNT PICTURE—From a Story

By F. BRITTEN AUSTIN—Scenes by JOSEF URBAN

CRITERION THEATRE

BROADWAY at 44th St.

Continuous Noon to 11:30 P. M.

Direction of HUGO RIESENFELD

WOLFSOHN MUSICAL BUREAU announces

HIPPODROME, Sunday Aft., March 6th, at 3

ALMA

GLUCK ZIMBALIST

SEATS NOW AT BOX OFFICE (KNABE PIANO USED.)

AEOLIAN HALL, TO-NIGHT at 8:15

BENNO A. DAISY

Moiseiwitsch Kennedy MEADER

Mrs. Benno Moiseiwitsch (Meade & Hamilton) BONG RECITAL (Steinway Piano)

CARNEGIE HALL, SAT. AFT., MAR. 12 at 2:30

MADAME and MISS

LOUISE HOMER

TOGETHER IN RECITAL (STEINWAY PIANO)

FILM CENSORSHIP IS DEMANDED BY MILLER

Urges Clayton Bill—Will Name Woman on Board.

Special Despatch to THE NEW YORK HERALD, New York, March 3.

Gov. Miller declared to-day in favor of State censorship of motion pictures. Amazed by samples of lurid advertisements for movies which were shown him by Mrs. Clarence Waterman, representing the Better Motion Picture Alliance, the Governor announced his favored passage of a bill now before the Legislature creating a board of censors. He said if the bill came to him he would approve it and name a woman as one of the three members of the commission.

Assemblyman Walter F. Clayton, Republican of Kings, is author of the bill, which creates a State motion picture censorship commission of three, appointed by the Governor, with the consent of the Senate. Their salaries are to be \$5,000 each and their terms five years. Any film made or shown in this State would have to be examined by the commission, which within thirty days shall return the film with its approval or disapproval.

The exhibiting of unapproved films is made a misdemeanor, punishable by a fine of not less than \$1,000 or imprisonment of not more than one year. For each examination of a film a fee is to be paid the commission of \$3 for each 500 feet, but in no case shall the fee be less than \$5. The bill carries an appropriation of \$50,000.

K. OF C. WORK IN ITALY.

Pope Benedict has asked the Knights of Columbus to organize community welfare work throughout Italy, that organization announced yesterday. Athletic clubs for use of Italian youths would be part of the programme. This work, if undertaken, would be supported independent of the organization's war fund. William J. McGinley, supreme secretary, said.

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THE WINTER GARDEN'S

Greatest Laughing Hit

Passing Show of 1921

Presenting Willie & Eugene Howard

THE ROSE GILFILLAN

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